



U.S. Department of Justice

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May 21, 2013

**FILED AND SERVED BY THE COURT'S  
ELECTRONIC CASE FILING SYSTEM**

The Honorable William C. Griesbach  
Chief Judge  
United States District Court for the  
Eastern District of Wisconsin

Re: *United States and the State of Wisconsin v. NCR Corp., et al.*,  
Case No. 10-cv-910 (E.D. Wis.)

Dear Judge Griesbach:

In the parties' joint report and discovery plan that the Court primarily adopted in its initial Case Management Order, the parties committed to meet and confer after Phase 1 of this case and then "submit for the Court's consideration a new Case Management and Scheduling Order that will govern further proceedings in the case." Dkt. 260 at 11.

Before concentrating on a possible schedule for additional discovery, motions practice, and trial preparations – including arrangements for litigating the Plaintiffs' monetary claims for cost recovery and natural resource damages – the Plaintiffs recommend that the parties be given an opportunity to focus on the potential settlement of this matter. In recent communications with counsel for the Plaintiffs and a number of the other parties, Magistrate Judge Goodstein has expressed his continued willingness to facilitate settlement negotiations.

The Plaintiffs respectfully request that the Court allow the parties to defer any effort on a new proposed Case Management and Scheduling Order until at least July 1, 2013, so that the parties can renew their focus on possible additional settlements. Under this scenario, the Plaintiffs will file a status report by July 1, advising the Court on whether settlement progress has been made with some or all of the parties and on whether the parties believe that an additional deferral of litigation scheduling is warranted.

We have consulted with all other parties involved in this case and do not believe that any oppose the proposal outlined in this letter, although we understand that NCR may be submitting a short letter of its own to clarify its position.

Respectfully submitted,

A handwritten signature in blue ink, reading "Randall M. Stone". The signature is written in a cursive style with a large, stylized "R" and "S".

Randall M. Stone  
Senior Attorney

## CERTIFICATE OF SERVICE

I hereby certify that on this date I caused a true and correct copy of the foregoing letter to be served on the following counsel of record by the Court's Electronic Case Filing system:

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Dated: May 21, 2013

*s/ Randall M. Stone*